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The Gazette of Puducherry

PART - II

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GOVERNMENT OF PUDUCHERRY LEGISLATIVE ASSEMBLY SECRETARIAT

No. 1462/2013-LA(Legn.).

Puducherry, the 25th March 2013.

Under rule 140 of Rules of Procedure and Conduct of Business of the Puducherry Legislative Assembly, the following Bill viz.,

“The Salary, Allowances and Pension of Members of the Legislative Assembly (Puducherry) Amendment Bill, 2013 (Bill No. 3 of 2013)”

which was introduced in the Legislative Assembly on March 25, 2013 is published for general information.

THE SALARY, ALLOWANCES AND PENSION OF
MEMBERS OF THE LEGISLATIVE ASSEMBLY
(PUDUCHERRY) AMENDMENT BILL, 2013

(Bill No. 3 of 2013)

A

BILL

**further to amend the Salary, Allowances and Pension
of Members of the Legislative Assembly
(Puducherry) Act, 1964.**

BE it enacted by the Legislative Assembly of
Puducherry in the Sixty-fourth Year of the Republic
of India as follows :—

Short title and
commencement.

1. (1) This Act may be called the Salary,
Allowances and Pension of Members of the
Legislative Assembly (Puducherry) Amendment
Act, 2013.

(2) It shall be deemed to have come into
force on the 9th day of February, 2007.

Amendment
of section 10.

2. In the Salary, Allowances and Pension of
Members of the Legislative Assembly (Puducherry)
Act, 1964, in section 10,—

Act
No.16
of
1964.

(a) after sub-section (1), the following
sub-section shall be inserted, namely:—

“(1A) Where any person entitled to
pension under sub-section (1),—

- (i) is elected to the Office of the President
or Vice-President or is appointed to the
Office of the Governor of any State
or the Administrator of any Union
Territory; or

- (ii) becomes a Member of the Council of States or the House of the People or any Legislative Assembly of a State or Union Territory or any Legislative Council of a State; or
- (iii) is employed on a salary under the Central Government or any State Government or any Corporation owned or controlled by the Central Government or any State Government, or any local authority or becomes otherwise entitled to any remuneration from such Government, Corporation or local authority,

such person shall not be entitled to any pension under sub-section (1) for the period during which he continues to hold such office or as such Member, or is so employed, or continues to be entitled to such remuneration:

Provided that where the salary payable to such person for holding such office or being such Member or so employed, or where the remuneration referred to in clause (iii) payable to such person, is, in either case, less than the pension payable to him under sub-section (1), such person shall be entitled only to receive the balance as pension under that sub-section.”;

(b) after sub-section (3), the following sub-section shall be added, namely:—

“(4) The family pension payable under sub-section (3) shall also be payable to the family of a person who was a Member and died at any time before the 9th day of February, 2007 :

Provided that no such family pension shall be payable if the person entitled is a sitting Member of the Parliament or Legislative Assembly of a State or Union Territory or is drawing pension as ex-MP or MLA or as retired official from Central / State / Union territory Government:

Provided further that no person shall be entitled to claim arrears of any family pension under this sub-section in respect of a period before the 9th day of February, 2007.”.

STATEMENT OF OBJECTS AND REASONS

The Salary, Allowances and Pension of Members of Legislative Assembly (Puducherry) Act, 1964 was amended on 6th June 2010 by Act No. 6 of 2010, by which the quantum of salary, allowances and pension of Members and former Members of Puducherry Legislative Assembly was revised with effect from 9-2-2007, at par with the rates prevailing in the adjacent State of Tamil Nadu. In the case of Tamil Nadu, where a former member expired either before or after 1st day of April 1999 (the date on which family pension was introduced) his family is entitled to family pension of ₹ 5,000 per mensem. At the time of amendment in June 2010 this provision in the Tamil Nadu Act was overlooked and was not incorporated in Puducherry Act. Based on the requests received for extending similar benefits in Puducherry, it is proposed to extend the family pension to the family of former members who died prior to 9-2-2007 also, with the condition that the pecuniary benefits will accrue with effect from 9-2-2007 only.

The Bill seeks to achieve the above object.

N. RANGASAMY,
Chief Minister.

FINANCIAL MEMORANDUM

The proposed provision for giving family pension to the family of former Members who died prior to 9-2-2007 would involve a recurring expenditure of ₹ 13.80 lakh (Rupees thirteen lakh and eighty thousand only) per annum approximately from the Consolidated Fund.

ADMINISTRATOR'S RECOMMENDATION
UNDER SUB-SECTIONS (1) AND (3) OF SECTION 23 OF
THE GOVERNMENT OF UNION TERRITORIES ACT, 1963

(A copy of Letter No. 003/CM/Secy./2013, dated 18-3-2013 from Thiru N. Rangasamy, Hon'ble Chief Minister to the Hon'ble Speaker, Legislative Assembly, Puducherry).

The Lieutenant-Governor, Puducherry having been informed of the subject matter of the proposed Salary, Allowances and Pension of Members of the Legislative Assembly (Puducherry) Amendment Bill, 2013 providing for family pension with effect from 9-2-2007 to the family of deceased ex-MLAs who died at any time prior to 9-2-2007 on par with their counterparts in the State of Tamil Nadu, recommends under sub-sections (1) and (3) of section 23 of the Government of Union Territories Act, 1963, the introduction in and consideration by the Legislative Assembly of the said Bill.

R. ANBAJAGANE,
Secretary,
Legislative Assembly Secretariat.

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